

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

STEPHEN BUSHANSKY, Derivatively on Behalf
of American Renal Associates Holdings, Inc.,

Plaintiff,

v.

JOSEPH A. CARLUCCI, SYED T. KAMAL,
MICHAEL E. BOXER, THOMAS W.
ERICKSON, JARED S. HENDRICKS, JOHN
M. JURELLER, STEVEN M. SILVER,
PATRICK T. RYAN, SUSANNE V. CLARK,
and ROBERT H. FISH,

Defendants,

and

AMERICAN RENAL ASSOCIATES
HOLDINGS, INC., a Delaware Corporation,

Nominal Defendant.

Case No. 17-cv-12091-ADB

**PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF PROPOSED
SETTLEMENT AGREEMENT**

Plaintiff Stephen Bushansky, derivatively on behalf of American Renal Associates Holdings, Inc., hereby moves, pursuant to Federal Rule of Civil Procedure 23.1(c) for preliminary approval of the proposed settlement agreement. In support of this motion, Plaintiff has filed the accompanying Memorandum of Law in Support of Motion for Preliminary Approval of Proposed Settlement Agreement and the Declaration of David C. Katz in Support of Plaintiff's Motion for Preliminary Approval of Settlement Agreement, together with the exhibits thereto.

WHEREFORE, for the reasons in the accompanying Memorandum of Law and Declaration of David C. Katz, Plaintiff respectfully requests that the Court:

- 1) Enter the Preliminary Approval Order attached as Exhibit A to the Stipulation and Agreement of Settlement, Compromise and Release preliminarily approving the settlement;
- 2) Approve the form and manner of the Notice set out as Exhibits A-1 and A-2 to the Stipulation and Agreement of Settlement, Compromise and Release; and
- 3) Schedule a date for the Settlement Hearing to consider final approval of the settlement and the Attorneys Fee and Expense Amount.

Dated: March 29, 2018

Respectfully submitted,

Weisslaw LLP

/s/ David C. Katz

Joseph H. Weiss

David C. Katz (admitted *pro hac vice*)

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Counsel for Plaintiff Stephen Bushansky

CERTIFICATE OF SERVICE

I, David C. Katz, hereby certify that on March 29, 2018, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent via email to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ David C. Katz
David C. Katz